



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,022	01/19/2001	Jamshid Eftekhari	NC33311	7835

29683 7590 12/14/2005

HARRINGTON & SMITH, LLP
4 RESEARCH DRIVE
SHELTON, CT 06484-6212

EXAMINER

NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
----------	--------------

2674

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/766,022

Applicant(s)

EFTEKHARI, JAMSHID

Examiner

Jennifer T. Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to amendment filed on 09/15/2005.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-10 and 12-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Edwards et al. (Patent No. US 6,952,799).

Regarding claims 1, 10, and 17, Edwards teaches a method in a device having a plurality of character-entry pressure points (i.e., coloured buttons 330, fig. 3) for selecting a function in a markup language file (i.e., links 215, fig. 2) comprising:

reading the markup language file (i.e., view of the HTML page, col. 6, lines 46);

detecting a reference to a character encoding having a corresponding function (i.e., related links on the page, col. 6, lines 47-48) ;

illuminating at least one character encoding having the corresponding function (i.e., four links are colored) (col. 6, lines 48-51);

detecting an entry by the character-entry pressure point (col. 7, lines 29-31);

and triggering the function (col. 6 lines 33-51, col. 7, lines 1-37).

Regarding claims 2 and 18, Edwards teaches illuminating the at least one character-entry pressure point (330) comprises illuminating less than the plurality of character-entry pressure points (col. 7, lines 28-37).

Regarding claims 3 and 19, Edwards teaches the device has displayed a number of references and illuminating the at least one character-entry pressure point comprises illuminating the number of character-entry pressure points (col. 7, lines 1-15).

Regarding claims 4, 5, 20 and 21, Edwards teaches detecting an entry by the character-entry pressure point comprises detecting a key-press and a key-release (col. 7, lines 25-31).

Regarding claims 6 and 22, Edwards teaches detecting an entry by the character-entry pressure point comprises detecting a long-duration key press (col. 7, lines 25-31).

Regarding claims 7, 8, 15, 23 and 24, Edwards teaches trigger a function comprises a step of displaying a card (col. 17, lines 5-22) and reading a deck (col. 9, lines 30-67).

Regarding claims 9 and 25, Edwards teaches triggering a function further comprises moving a cursor (col. 19, lines 47-56).

Regarding claims 12 and 13, Edwards teaches detecting comprises sensing a long duration circuit closure (col. 7, lines 1-37).

Regarding claim 14, Edwards teaches detecting comprises sensing a circuit opening (col. 7, lines 1-37).

Regarding claim 16, Edwards teaches triggering comprises reading a second markup language file (col. 7, lines 1-15).

Regarding to claim 26, Edwards teaches wireless device (i.e., mobile phone) (col. 2, lines

Art Unit: 2674

55-65) comprising a CPU programmed to parse a file to identify at least one occurrence of a string representing a hyperlink (215, fig. 2) and to associate individual ones of identified string occurrences with individual ones of colors associated with a manual user data entry device (105, fig. 3) of said wireless device (col. 7, lines 1-37).

Regarding claim 27, Edwards teaches the CPU (not shown) is further programmed to illuminate the manual user data entry device (105) with a sufficient number of colors (i.e., red, green) to present the identified string occurrences (col. 7, lines 1-37).

Regarding claim 28, Edwards teaches the wireless device comprises a mobile phone (col. 2, lines 55-65).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. (Patent No. US 6,952,799) in view of Dugas et al. (Patent No. US 5,612,692).

Regarding claim 11, Edwards differs from claim 11 in that he does not specifically teach illuminating a light emitting diode near the character-entry pressure point.

Dugas teaches LEDs 44 or the like for illumination of keys (col. 4, lines 62-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the LEDs for illumination of keys as taught by Dugas in the system of Edwards in order to allow for easy viewing of the light from the top and the side of the key.

Art Unit: 2674

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. (Patent No. US 6,952,799) in view of Hawkins et al. (Patent No. US 6,781,575).

Regarding claim 29, Edwards differs from claim 29 in that he does not specifically teach the file is received through a wireless link using a wireless transceiver having an output coupled to the CPU.

Hawkins teaches a file is received through a wireless link using a wireless transceiver having an output coupled to the CPU (col. 5, lines 21-40, col. 7, lines 40-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the wireless transceiver as taught by Hawkin in the system of Edwards in order to provide a device with light weight and quick connecting communication.

8. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 571-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 2674

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Nguyen
11/28/05



PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER